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FILED

AUG 28 2008

CLERK U.S. DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA  
 SAN JOSE

6 Attorneys for the United States

7 UNITED STATES DISTRICT COURT

8 NORTHERN DISTRICT OF CALIFORNIA

9 SAN JOSE DIVISION

10 UNITED STATES OF AMERICA,

11 Plaintiff,

12 v.

13 *Eric R. Neal*

14 Defendant.

15 CRIMINAL NO. *08-Mj-70566-PVT*

16 NOTICE OF PROCEEDINGS ON  
 17 OUT-OF-DISTRICT CRIMINAL  
 18 CHARGES PURSUANT TO RULES  
 19 5(c)(2) AND (3) OF THE FEDERAL RULES  
 20 OF CRIMINAL PROCEDURE

21 Please take notice pursuant to Rules 5(c)(2) and (3) of the Federal Rules of Criminal

22 Procedure that on \_\_\_\_\_, the above-named defendant was arrested based upon an  
 23 arrest warrant (copy attached) issued upon an

24  Indictment  Information  Criminal Complaint  Other Petition for Revocation SR

25 pending in the Central District of Calif, Case Number CR 04-00146-DSF

26 In that case, the defendant is charged with a violation(s) of Title(s) 18 United States Code,  
 27 Section(s) 3583(e)(3)

28 Description of Charges: Viol of SR

Respectfully Submitted,  
 JOSEPH P. RUSSONIELLO  
 UNITED STATES ATTORNEY

*May M. T.*  
 Assistant U.S. Attorney

Date: Aug 28, 2008

UNITED STATES PROBATION OFFICE  
CENTRAL DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA

vs.

ERIC R. NEAL

06 OCT 11 P1:05  
Plaintiff(s)

CASE NUMBER:

CR04-00146-DSF

Defendant(s)

WARRANT FOR ARREST

TO: UNITED STATES MARSHAL AND ANY AUTHORIZED UNITED STATES OFFICER

YOU ARE HEREBY COMMANDED to arrest ERIC R. NEAL

and bring him/her forthwith to the nearest Magistrate Judge to answer to a(n):  Complaint  Indictment

Information  Order of Court  Violation Petition  Violation Notice

charging him/her with: (ENTER DESCRIPTION OF OFFENSE BELOW)

in violation of Title 18

United States Code, Section(s) 3583(e)(3)

Sherrill R. Carter

NAME OF ISSUING OFFICER

Clerk of Court

TITLE OF ISSUING OFFICER

*Deputy*  
Signature of Deputy Clerk

10/09/06 Los Angeles, CA

DATE AND LOCATION OF ISSUANCE

BY: Dale S. Fischer

NAME OF JUDICIAL OFFICER

RETURN

THIS WARRANT WAS RECEIVED AND EXECUTED WITH THE ARREST OF THE ABOVE-NAMED DEFENDANT AT (LOCATION):

DATE RECEIVED

NAME OF ARRESTING OFFICER

DATE OF ARREST

TITLE

DESCRIPTIVE INFORMATION FOR DEFENDANT  
CONTAINED ON PAGE TWO

SIGNATURE OF ARRESTING OFFICER

PROB 12  
(Rev. 11/04)

## United States District Court

for  
CENTRAL DISTRICT OF CALIFORNIA

U.S.A. VS. ERIC R. NEAL

Docket No. CR04-00146-DSF

FILED  
CLERK, U.S. DISTRICT COURT  
*AVT 10 2006*  
CENTRAL DISTRICT OF CALIFORNIA  
BY DEPUTY

## Petition on Probation and Supervised Release (Bench Warrant)

COMES NOW LORETTA S. MARTIN, CHIEF PROBATION OFFICER OF THE COURT, presenting an official report upon the conduct and attitude of ERIC R. NEAL who was placed on supervision by the Honorable DALE S. FISCHER sitting in the Court at Los Angeles, California, on the 14th day of February, 2005 who fixed the period of supervision at two years, and imposed the general terms and conditions theretofore adopted by the Court and also imposed special terms and conditions as noted on the attached Judgment and Commitment Order(s). Jurisdiction was transferred to the Central District of California on February 10, 2004. The original term of supervision imposed in this case on July 9, 1996, was revoked on February 14, 2005.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

(SEE ATTACHED)

PRAYING THAT THE COURT WILL ORDER issuance of a bench warrant addressed to any United States Marshal or any other authorized officer within the United States of America, requiring the detention and return of Eric R. Neal before the United States District Court at Los Angeles, California, to show cause why the supervision order, heretofore entered, should not be revoked.

## ORDER OF COURT

Considered and ordered this 9<sup>th</sup> day  
of Oct, 20<sup>06</sup> and ordered filed  
and made a part of the records in the above  
case.

*[Signature]*  
United States District Judge  
DALE S. FISCHER

I declare under penalty of perjury that the foregoing  
is true and correct to the best of my knowledge.

Executed on October 3, 2006

*[Signature]*  
AVAT AUSTIN

U. S. Probation Officer

Place: Inglewood, California

U.S.A. VS. ERIC R NEAL  
DOCKET NO. CR04-00146-DSF

**RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR  
CAUSE AS FOLLOWS:**

It is alleged that the above-named supervisee has violated the terms and conditions to wit:

1. Having been ordered by the Court not to commit another Federal, state or local crime, on or about August 16, 2006, Eric R. Neal possessed a narcotic controlled substance, in violation of Section 11350 (a) of the California Health and Safety Code;
2. Having been ordered by the Court not to commit another Federal, state or local crime, on or about August 16, 2006, Eric R. Neal possessed an instrument for smoking controlled substances, in violation of Section 11364 (a) of the California Health and Safety Code;
3. Having been ordered by the Court to follow the instructions of the Probation Officer and having been instructed by the Probation Officer, on July 28, 2006, to report in person on August 1, 2006, to the U.S. Probation Office, 111 North La Brea Avenue, Suite 209 Inglewood, California, Eric R. Neal failed to report as instructed;
4. Having been ordered by the Court to follow the instructions of the Probation Officer and having been instructed by the Probation Officer, on August 2, 2006, to report in person on August 3, 2006, to the U.S. Probation Office, 111 North La Brea Avenue, Suite 209 Inglewood, California, Eric R. Neal failed to report as instructed;
5. Having been ordered by the Court to refrain from the use of controlled substances, on or about August 11, 2006, Eric R. Neal furnished a urine sample to the Probation Officer, which, upon analysis, was found to contain marijuana and cocaine; and
6. Having been ordered by the Court to participate in a substance abuse counseling program, which may include chemical or Breathalyzer testing, as directed by the Probation Officer, on August 16, 2006, Eric R. Neal failed to report for an intake interview and testing at Detection and Treatment Resources, Incorporated, as instructed.